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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,570	11/17/2003	Hitan S. Kamdar	GP-304075 (2760/143)	6278

7590 08/23/2005

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EXAMINER

LE, DANH C

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/716,570

Applicant(s)

KAMDAR ET AL.

Examiner

DANH C. LE

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 9-15 and 19 is/are rejected.
- 7) ☒ Claim(s) 6-8 and 16-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 11, 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Frank (US 2003/0224840).

As to claim 1, Frank teaches a method for operating a telematics unit within a mobile vehicle communication system (figure 2), the method comprising:

assigning a primary telematics unit identifier to a user account;
assigning the primary telematics unit identifier to a mobile handset;
associating the mobile handset with any one of a plurality of telematics units operating within the mobile vehicle communication system; and
operating the associated telematics unit.

As to claim 11, the claim is a computer software of claim 1; therefore, the claim is interpreted and rejected as set forth as claim 1.

As to claim 19, the claim is a system of claim 1; therefore, the claim is interpreted and rejected as set forth as claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-5, 9, 10, 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frank in view of Witkowski (US 2005/0090270).

As to claim 2, Frank teaches the method of claim 1, wherein the step of associating the mobile handset with any one of a plurality of telematics units operating within the mobile vehicle communication system comprises coupling the mobile handset to the telematics unit.

Frank fails to teach communicating the assigned telematics unit identifier of the mobile handset to a service provider and downloading user preferences from the service provider, the user preferences based on the user account associated with the communicated telematics unit identifier. Witkowski teaches communicating the assigned telematics unit identifier of the mobile handset to a service provider and downloading user preferences from the service provider, the user preferences based on the user account associated with the communicated telematics unit identifier (figure 10, 11). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Witkowski into the system of Frank in order to enable information relating to various points of interest along a route being traveled by the user.

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As to claim 3, the combination of Frank and Witkowski teaches the method of claim 2, further comprising implementing the downloaded user preferences (figure 10, 11).

As to claim 4, the combination of Frank and Witkowski teaches the method of claim 2, wherein the step of downloading user preferences based on the user account comprises:

determining the user preferences at the service provider and receiving the user preferences from the service provider.

As to claims 5, 9, 10, the combination of Frank and Witkowski teaches the method of claim 2, the combination of Frank and Witkowski teaches the user preferences are based on a mobile vehicle type, the user account is a subscription service, the telematics unit identifier is a mobile identification number. However, the examiner takes Official Notice that the recited limitations are known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of the recited limitations into the system of Frank in order to enhance the system performance of the communication device of a motor and method for setting up a call diversion.

As to claim 12, the claim is a computer software of claim 2; therefore, the claim is interpreted and rejected as set forth as claim 2.

As to claim 13, the claim is a computer software of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

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As to claim 14, the claim is a computer software of claim 4; therefore, the claim is interpreted and rejected as set forth as claim 4.

As to claim 15, the claim is a computer software of claim 5; therefore, the claim is interpreted and rejected as set forth as claim 5.

Allowable Subject Matter

Claims 6-8, 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 6 and 16, the teaching of above prior arts either alone or in combination fails to teach the step of associating the mobile handset with any one of a plurality of telematics units operating within the mobile vehicle communication system comprises coupling the mobile handset to the telematics unit, determining if the telematics unit coupled to the mobile handset is a primary telematics unit, the primary telematics unit including the primary telematics unit identifier, determining if the telematics unit coupled to the mobile handset is a secondary telematics unit, the secondary telematics unit not including the primary telematics unit identifier and routing calls to the determined telematics unit.

Dependent claims 7, 8, 17, 18 are objectable for the same reason.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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A. Shah (US 2002/0068543) teaches sharing of wireless telephone service for a personal wireless telephone and a vehicular wireless telephone.

B. Obradovich (US 6,577,928) teaches multimedia information and control system for automobile.

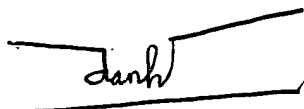
C. Kolls (US 6,895,310) teaches vehicle related wireless scientific instrumentation telematics.

D. Treyz (US 6,711,474) teaches automobile personal computer system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



August 18, 2005.

DANH CONG LE
PATENT EXAMINER